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> REPLY TO MANNING OFFICE

December 17, 2019

VIA EMAIL & FIRST CLASS MAIL

Jordi de Llano, Assistant U.S. Attorney Office of United States Attorney 1 Courthouse Way, Suite 9200 Boston, MA 02210 jordi.de.llano.campos@usdoj.gov

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Re: United States of America v. Randall Crater

Criminal No.: 19-10063-DJC

Counsel:

I am in receipt of your response. This letter will likewise be filed with the Court.

This is the second correspondence that I have received from you stating that I have misrepresented facts. In any litigation there are, at times, a wide disparity between the opinions held by either side. Over many years, I have learned that positions of counsel in an attempt to advocate a client's case or cause of action are juxtaposed to the position of the opponent. That does not mean that either side in misrepresenting or lying about a particular position. In my District, opponents rarely, if ever, use the term misrepresented. It appears that you employ it regularly.

I am often mistaken or say something in error or overlook a comment from counsel. I do not intentionally misrepresent facts, nor do I attempt to gain a position with the Court by making such a claim against another advocate. In this case, as in all cases, the facts will speak for themselves.

As to your position on the fraudulent scheme, working wallets existed in 2014, 2015, 2016 and 2017. The term working wallet is common in this industry. Coin passes in and out as they are traded or transferred to others

at the discretion of the owner. It is our position MBC had value in 2014 through 2017. It is your position that it did not.

It was my intention to point to the fork in MBC that occurred 2017 and to demonstrate that coins transitioned from earlier years to the new wallets in 2017. Had they not been there before, they would not appear out of thin air, they could not navigate the fork. I understand that a fork is common in all crypto currencies include Bit Coin. It is clear that we differ in our view of the facts that will be presented to the Court before and the science backing them. I will continue to pursue the 302 issue. While the Court may deny that request, the numbers of exculpatory witnesses that the Government has interviewed together with the fact they may are located all over the country will make it impossible for the defense to prepare to present this witness testimony in a matter of three to four weeks. It is my duty to place that critical conundrum before the Court in good faith. I am certain the Court will understand that position regardless of the ruling.

Sincerely,

By <u>s/Ray E. Chandler</u> Attorney for Defendant

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